

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : King, et al.

U.S. Serial No. : 10/593,217, National Stage Application of  
International Application No.  
PCT/US2005/010152, filed March 25, 2005,  
claiming priority of U.S. Serial  
No.60/556,565, filed March 26, 2004

Filed : September 15, 2006

Confirmation No.: 7034

Examiner : Not Yet Known

Art Unit : Not Yet Known

For : COMBINATION THERAPY COMPRISING  
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May 11, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, Applicants would like to direct the Examiner's attention to the following reference which is listed below and on Forms PTO/SB/08A, and PTO/SB/08B (which are attached hereto as **Exhibit A**), and further attached as **Exhibits 1-4**.

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1. International Publication No. WO/2005/094282, October 13, 2005, Vion Pharmaceuticals, Inc, et al., "Combination Therapy Comprising Cloretazine"<sup>TM</sup> [Exhibit 1]
2. International Search Report issued March 21, 2006 for Vion Pharmaceuticals, Inc, et al., International Publication No. WO/2005/094282 [Exhibit 2]
3. Written Opinion of the International Searching Authority, issued March 21, 2006 for Vion Pharmaceuticals, Inc, et al., International Publication No. WO/2005/094282 [Exhibit 3]
4. Penketh, et al., 1996, "Mechanisms of resistance to alkylating agent", Cancer Treat Res 87:65-81 [Exhibit 4]

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if additional fees are required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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# Exhibit A

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Complete if Known**

(Use as many sheets as necessary)

Application Number	10/593,217
Filing Date	September 15, 2006
First Named Inventor	KING, et al.
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	891-A-PCT-US

[illegible][illegible]

Examiner  
Signature

Date Considered

**EXAMINER:** Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Attorney Docket Number	891-A-PCT-US

Sheet 2 of 2

## OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	2	International Search Report issued March 21, 2006 for Vion Pharmaceuticals, Inc, et al., International Publication No. WO/2005/094282	
	3	Written Opinion of the International Searching Authority, Issued March 21, 2006 for Vion Pharmaceuticals, Inc, et al., International Publication No. WO/2005/094282	
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Signature

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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